



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

June 14, 2001

John Raap
Olsen Brothers
46002 N District Line Rd
Prosser WA 98350-5620

Re: Emergency Drought Authorization G4-34500

In accordance with the provisions of RCW 43.83B.405, on March 14, 2001, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 176-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.

The Department of Ecology has agreed to fund the cost of the mitigation or offsets for the impacts associated with the drought emergency authorizations. Ecology is attempting to meet the essential irrigation needs of farmers. Essential needs have been defined as 75% to 80% of a usual irrigation water duty delivered by the irrigation districts.

This authorization is conditioned by the following provisions and limitations:

This authorization is for the use of an existing well located within the SE¼SW¼ of Section 13, T. 9 N., R. 25 E.W.M.

The total quantity of water to be withdrawn under this authorization is limited to 500 gpm, 172 acre-feet per year. The instantaneous quantity is based on the amount requested in the application.

The annual quantity authorized is based on the crop type. The applicant has described the crop type on the land as 86 acres of orchard. Based on a supplemental crop duty of 2.0 acre-feet for orchard, 172 acre-feet per year are authorized under this emergency authorization.



Water is to be used for supplemental irrigation of 86 acres from May 1 to October 31, 2001. The place of use is described as follows:

Section 13, T. 9 N., R. 25: Portion of lot 2, and the N½SE¼, lying North of S.I.D. Canal right of way: less portion defined as follows: exception: beginning at the NW corner of said subdivision: thence east along north line thereof 377 feet; thence southwesterly in a straight line to a point on the west line of said subdivision which is 931 feet south of a point of beginning: thence North along said west line to point of beginning. Less for road 5-8-80. Easement 5-8-80.

A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology at the end of the 2001 irrigation season.

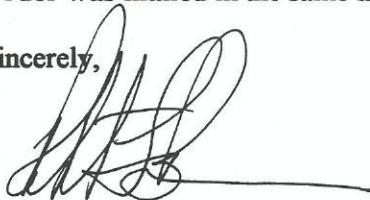
Withdrawal of water under this authorization may be limited or otherwise regulated in favor of senior rights.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

This drought emergency authorization expires on October 31, 2001.

This Order may be appealed pursuant to RCW Chapter 43.21B. The person to whom this Order is issued must file an appeal with the Pollution Control Hearings Board within thirty (30) days of receipt of this Order. Send the appeal to: Pollution Control Hearings Board, P.O. Box 40903, Olympia, Washington 98504-0903. At the same time, a copy of the appeal must be sent to: Department of Ecology, Fiscal Office, P.O. Box 47615, Olympia, Washington 98504-7615. All others receiving notice of this Order must file an appeal with the Pollution Control Hearings Board within thirty (30) days of the date the Order was mailed in the same manner described above.

Sincerely,



Robert F Barwin
Section Manager
Water Resources Program

PC:gg
010629

Enclosures: Flow Meter Requirements
cc: Yakama Nation